



A handwritten signature of Timothy W. Dore is located at the top right of the page, above the judge's name.

Timothy W. Dore
U.S. Bankruptcy Court Judge
(Dated as of Entered on Docket date above)

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

In re:)
)
MARCELLO R. MOTTOLA, STEFANIE I.)
MOTTOLA,)
)
Debtors.)

Chapter 13

Case No. 12-15646-TWD

MARCELLO R. MOTTOLA, STEFANIE I.)
MOTTOLA,)
)
Plaintiffs,)

STIPULATED JUDGMENT

v.)

Adversary Case No. 12-01543-TWD

WELLS FARGO BANK, N.A.,)
)
Defendant.)

STIPULATED JUDGMENT-- 1

LAW OFFICE OF MARK MCCLURE, P.S.
1103 West Meeker St., Suite 101
Kent, WA 98032
253-631-6484

1 THIS MATTER came before the Court on Plaintiffs' Complaint for Lien Avoidance.
2 Plaintiffs having appeared through their attorney of record, Mark C. McClure, and Defendant
3 Wells Fargo Bank, N.A. having appeared through Bradley B. Jones and the Court having
4 reviewed the files and records, being fully advised in the premises and finding:

- 5
- 6 1. THAT the parties stipulate and agree to entry of this judgment; and
- 7 2. THAT the value of the property located at 24212 139th Avenue SE, Kent,
- 8 Washington 98042, legally described as:

9

10 LOT 96, MERIDIAN VALLEY COUNTRY CLUB, ACCORDING TO THE PLAT
11 THEREOF RECORDED IN VOLUME 90 OF PLATS, PAGES 92 THROUGH 106,
12 INCLUSIVE, IN KING COUNTY, WASHINGTON.

13 and incorporated herein by reference, Parcel ID Number 546950-0980

14 (hereinafter referred to as "Real Estate"), is determined to be no greater than
15 \$245,000.00.

16 Having made the foregoing findings, IT IS HEREBY ORDERED:

- 17
- 18 1. THAT the claim of Wells Fargo Bank, N.A. in the approximate amount of
- 19 \$53,661.00 shall be deemed a general unsecured claim since the amount owed on
- 20 the Note secured by the first Deed of Trust exceeds the value of the Real Estate.
- 21
- 22

23 STIPULATED JUDGMENT-- 2

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- 1 2. THAT upon successful the completion of the Chapter 13 proceedings herein, the
2 junior lien of Wells Fargo Bank, N.A. shall be avoided as to real property located
3 at 24212 139th Avenue SE, Kent, Washington 98042 and legally described above
4 and incorporated herein by referenced, as evidenced by the Deed of Trust recorded
5 on June 12, 2007, under King County Recording Number 20070612002816, but if
6 this case is dismissed before completion or converted to another Chapter, then the
7 lien shall remain in place;
- 8 3. THAT Defendant shall receive disbursements in the Chapter 13 bankruptcy case as
9 a general unsecured creditor; and
- 10 4. THAT this Stipulated Judgment is binding on the successors in interest to the
11 Defendant.

12 ##END OF ORDER##

13
14 Presented by:

15 /s/ Mark C. McClure
16 Mark C. McClure, WSBA No. 24393
17 Attorney for Plaintiff

18 Approved as to form and content;
19 Notice of presentation waived:

20 /s/ 
21 Bradley B. Jones, WSBA No. 10732
22 Attorney for Defendant

23 STIPULATED JUDGMENT-- 3

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